

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

MARIAM BAILEY

PLAINTIFF

VS.

CIVIL ACTION NO. 3:14CV72-SA-JMV

STANLEY ACCESS TECHNOLOGIES, ET AL.

DEFENDANTS

ORDER

Before the court is Plaintiff's Motion to Compel Discovery Responses From Defendant Desoto Inns, Inc. [67]. The court having thoroughly considered the submissions of the parties and having heard oral argument during a telephonic hearing held on 2/11/15 finds, consistent with the court's ruling during a telephonic conference with the parties, that the motion should be GRANTED strictly as follows:

1. By 5:00 p.m. on Friday, 2/13/15, Defendant Desoto Inns, Inc., shall provide Plaintiff's counsel with a list of hotel registrants for the evening of the date of the incident.

2. Plaintiff's counsel may use the list only for the purpose defined herein and may not disclose it to a third party.

3. Plaintiff's counsel may only contact each registrant by phone and request to speak with said registrant only.

4. Plaintiff's counsel may identify himself by name only until it is confirmed that he is speaking with a listed registrant. Upon confirmation that counsel is speaking to a registrant, counsel may proceed to explain the purpose of the call. Under no circumstance may counsel leave a message for a registrant.

5. If a registrant denies having any information regarding the incident and does not identify another hotel occupant who witnessed the incident, Plaintiff's counsel may not initiate any further contact with said registrant. However, if the registrant admits having information regarding the incident, counsel may proceed to adduce relevant information from the registrant and must immediately disclose that witness's identification information to counsel of record for the other parties. Further, if a registrant

identifies another hotel occupant who witnessed the incident, Plaintiff's counsel may contact that person by phone using the foregoing guidelines.

6. Under no circumstance may Plaintiff's counsel contact a minor without prior approval of this court.

7. With regard to any sports team registered, counsel may contact only the person(s) responsible for supervision of the team at the hotel. If said person(s) identifies a minor who witnessed the incident, counsel must obtain court approval before initiating contact with the minor.

IT IS FURTHER ORDERED, that in order to facilitate this discovery, the discovery deadline is hereby extended to 3/2/15, and the *Daubert* and dispositive motions deadline is extended to 3/27/15. No further extensions will be allowed short of a grant of a trial continuance.

This 13th day of February, 2015.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE